

9/2/08 - Monday, September 2, 2008

**CITY OF EAU CLAIRE
PLAN COMMISSION MINUTES**

Meeting of September 2, 2008

City Hall, Council Chambers

7:00 p.m.

Members Present: Messrs. Buchanan, Duax, FitzGerald, Kaiser, Kayser, Larson, Pearson, Seymour, Waedt

Staff Present: Messrs. Genskow, Noel, Tufte

The meeting was chaired by Mr. Kaiser.

1. REZONING (Z-1424-08) “ TC-3 to C-3P, Nortrax, Business Hwy. 53

Darryl Tufte presented the staff report and described the request to rezone property from Temporary C-3 to C-3P and to adopt the General Development Plan for Nortrax Equipment Company. The property™s location is at the southeast side of Business Hwy. 53, 4341 South Prairie View Road. The proposal is to construct a new truck and equipment wash facility on the premise with a new concrete apron for access. In order to secure a building permit, the property must be rezoned. The request to rezone is consistent with the Comprehensive Plan and is already surrounded by commercial zoning.

Applicants, David Kimball with MEP Associates, and Eric Brostead with Nortrax, stated the new wash facility will remove oil and other heavy solids before the wastewater enters into the sanitary sewer. They noted building rendering #5 is improperly labeled and should be renamed “North Elevation™”.

Mr. Duax had concerns with drainage runoff and the existing graveled parking area.

Mr. FitzGerald motioned to recommend approval of the rezoning. Mr. Kayser seconded and the motion carried.

2. CONDITIONAL USE PERMIT (CZ-0830) “ Dwelling Conversion, 1500 State Street

Darryl Tufte presented a request to convert the “Buffington House™”, a historical landmarked dwelling, to a 5-unit apartment in a R-2 district. The apartment proposal has 13 bedrooms and needs 9 parking stalls, which are already on site. Landmarks Commission previously approved proposed exterior changes. The rear accessory office building must remain incidental to the principal use. The existing shed will be used for recycling, and additional landscaping has been proposed to screen parking from abutting properties. Staff received three letters in opposition.

Applicant, Cary Osborn, with AHMC Asset Management, stated he wants to reuse, remodel, and preserve the large historical house; but in order to do so economically, he needs to convert it to a 5-unit apartment. Using 2000 Census data, he said the composition of the 3rd Ward Neighborhood is half rental-occupied and half owner-occupied. He stated his rental housing is not just for university students but also for professionals. He addressed traffic and parking concerns potentially associated with his proposal and said garbage will be handled in individual receptacles. The small detached office building will be used by his property manager part-time.

Craig Falkner, 1415 Park Avenue, stated the project is not good for the 3rd Ward neighborhood and it would create a bad precedent for future high density.

Laura Jensen, 439 Summit Avenue, noted this property was previously considered for down-zoning to R-1 and asked if conditional use permits could be revoked.

Paul Hoff, 1435 Park Avenue, had concerns due to the excessive density proposed and provided documentation from the City that the house had lost its nonconforming status.

Carla Conway, 340 Garfield Avenue, member of the 3rd Ward Steering Committee, stated members were phoned for input on the project and 11 were against it, 2 were neutral and 1 abstained and 1 was unable to be reached. She thought the project would disrupt the tranquility of the area but favors a mixed renter/owner dynamic in the neighborhood. Also, after touring inside, she said the applicant already started remodeling work.

Mary Mickel, 330 Bartlett Court, stated the renter/owner makeup is more polarized in the neighborhood than spread evenly and the historical house helps provide a gateway feel into campus and the downtown.

Kathy Attermeier, 334 Garfield Avenue, was alarmed of the increased density proposed and thought the conditional use permit was a way around having to rezone the property.

Ken Fulgione, 330 Lincoln Avenue, stated the applicant has demonstrated good property management, but thought the units could be resized potentially for less density.

Mary Sullivan, 1408 State Street, stated she is a single professional who rents the “Porch House™” and thinks AHMC Asset Management has done a good job restoring the house.

Ellen Nelson, 213 Oakwood Place, dropped the listed price on the "Buffington House™" and had 20 showings before selling to AHMC. Large old houses like this, coupled with being along State Street and the campus, make them difficult to sell as a single family.

Ron Keezer, 1705 Wilson Street, was opposed to the project and concerned about potential problems with property upkeep and garbage collection.

Bernie Hoefgen, 431 Lincoln Avenue, had concerns about the original woodwork and stairs from the inside being removed.

Susan Miller, 340 Lincoln Avenue, was against the adverse impacts that density may bring.

Aaron Brewster, 451 Lincoln Avenue, was not opposed to rentals in the 3rd Ward, but asked if the conditional use could be tied only to the applicant, not just the property.

Mr. Osborn stated there has been no interior remodeling work performed and they are planning on salvaging some of the woodwork. He thought it would be difficult financially to reduce the number of units with the upgrades that are proposed.

Patrick Kurtenbach, 1705 Park Avenue, stated he did not buy the "Buffington House™" because, in his opinion, it was not a good-single family investment.

Tim Pabich, 3350 Garfield Road, stated the proposal is a very good use for the property and the money being invested will help improve the property. He said his remodeling estimates provided to the applicant also demonstrate reducing the units is not economical and to put the house back on the market for 6 months is just wasting time.

Mr. Waedt motioned to approve for discussion purposes. Mr. FitzGerald seconded.

Mr. Buchanan stated the request did not demonstrate needed evidence that there was a reasonable attempt to continue or sell the house as a single-family or duplex structure.

Mr. Waedt was satisfied with reasonable attempts to sell the house as demonstrated by the previous owner and stated the proposal meets the Comprehensive Plan objectives of mixed-use and if the commission places firm conditions on the proposal, nuisance-related issues should be kept under control.

Mr. FitzGerald, Mr. Daux and Mr. Pearson believed postponing the item would be beneficial so that the applicant could meet with the neighborhood and staff to arrive at a potential compromise.

Mr. Daux motioned to postpone the conditional use permit request until the October 6th meeting so the applicant can meet with necessary parties involved to arrive at a fair solution. Mr. Pearson seconded and the motion carried. Mr. Buchanan, Mr. Kaiser and Mr. Seymour voted nay.

3. CONDITIONAL USE PERMIT (CZ-0831) " Duplex, 422 Niagara Street

Darryl Tufte stated this application request is to allow the conversion of a single-family home to a duplex in a R-2 district. The plan notes an existing 5-stall graveled parking lot to the rear of the property with access to the alley. The property was a duplex since the 1950s, but the applicant has been using it as a single family for the past few years. At this point the applicant desires to reinstate the house to a duplex. The conversion would have one unit on the lower floor and one unit on the upper floor. The Steering Committee of the Historic Randal Park Neighborhood stated they are generally opposed to any increases in housing density.

Applicant, Steven Mann, 1120 Mulberry Drive, confirmed the property changed from a duplex to a single-family house when he lived at the premise. He also stated he could upgrade the exterior with cement board siding instead of paint if required.

David Barnes, 420 4th Avenue, stated the block that contains the subject site has four rentals and 8 owners and that he had no concern with the proposal because Mr. Mann was unable to sell his house as a single family.

Mr. Buchanan motioned to approve the conditional use permit with conditions noted in the staff report and added that the exterior siding material be of a higher quality matching the appearance of the existing siding. Mr. FitzGerald seconded and the motion carried.

4. CONDITIONAL USE PERMIT (CZ-0834) " Vehicle Service, 2403 Eddy Lane

Darryl Tufte presented the staff report which addressed a request to receive a conditional use permit for a proposed vehicle service use in a C-2 District at 2403 Eddy Lane. The use would include auto and truck sales, light auto repair, detailing, auto and truck rental, automotive consulting and appraising service, and small travel trailer rental service. From the original site plan, it appears the applicant can display 14 to 15 vehicles, but after further review 18 stalls could be used.

Applicant, Gary Gruen, 3439 Hallie Lane, stated he will have initially two employees, believes 20 vehicles could be displayed on site comfortably, and he will not display anything on the stalls that are shared by him and the property owner to the east.

Chuck Malone, 2221 Skeels Avenue, the owner of the Subway, said the 8 shared stalls are needed because of Subway™'s on-site parking requirements.

Bob Woletz, 2328 Eddy Lane, was concerned about any new light fixtures giving off too much light during the night where it could potentially be a nuisance.

Mr. Buchanan motioned to approve the conditional use permit with conditions per the staff report, along with adding that three street trees be placed in the boulevard, light fixtures are dimmed at 9 o'clock, and the display stalls are limited to 18. Mr. FitzGerald seconded and the motion carried.

5. CONDITIONAL USE PERMIT (CZ-0836) “ Veterinary Clinic, Mall Drive SITE PLAN (SP-0832) “ Eau Claire Animal Hospital

Darryl Tufte stated the applicant's site plan request is to build a new 8,560 square foot veterinarian clinic in a C-3 district. A conditional use permit is also needed because the project includes an outdoor dog run/walk. The project is located on the west side of Mall Drive, north of Henry Street. The lot for this project is part of the property to the west and, thus, a Certified Survey Map will need to be approved by staff. The business needs 23 stalls and has 28 shown on the site plan.

Applicant, Ron Wolf, 4352 20th Street, Elk Mound, stated the outdoor dog walk/run is 30 feet by 48 feet in size and will be screened with a privacy fence.

Mr. Buchanan motioned to approve the conditional use permit and site plan adding a condition that the dog walk/run area be screened with privacy fencing on the west and north sides. Mr. Kayser seconded and the motion carried.

6. ANNEXATION (08-6A) “ 3665 London Road, Town of Washington

Darryl Tufte presented the annexation request to annex a .44 acre parcel from the Town of Washington located at 3665 London Road. This parcel will be recombined with other adjacent parcels for Dove Health Care's new senior living center. The annexation is consistent with the growth plan outlined in the City's Comprehensive Plan.

The applicant was not present.

Mr. Duax motioned to recommend approval of the annexation. Mr. FitzGerald seconded and the motion carried.

7. GENERAL SITE DEVELOPMENT PLAN (PZ-0702 AMD.) “ Ground Sign, CVTC

Darryl Tufte presented the applicant's request to amend the conditions of approval for a General Site Development Plan for a ground sign for Chippewa Valley Technical College, located on the south side of W. Clairemont Avenue. CVTC is requesting that their electronic message board ground sign be allowed to scroll and change every two seconds. The sign is on P-Public zoning and standards for signs in this district generally follow the more restrictive provisions of the abutting uses/zoning.

Applicant, Doug Olson, 1128 City View Drive, stated the electronic sign is more than a ¼ of a mile away from and cannot be seen from adjacent residential properties. The request for a scrolling message is important to convey messages to their students.

Mr. FitzGerald motioned to recommend approval of the General Development Plan amended conditions. Mr. Waedt seconded and the motion carried. Mr. Buchanan and Mr. Duax voted nay.

8. SITE PLAN (SP-0833) “ JoAnn Fabrics, Commonwealth Avenue

Darryl Tufte presented the request to approve the site plan for an addition to the existing building for JoAnn Fabrics retail center at 4045 Commonwealth Avenue. The remodel and addition has space for three more lease bays besides over 20,000 square feet for JoAnn Fabrics. The site plan shows 243 parking stalls, which is sufficient because the applicant has signed a different restaurant needing more seating and parking.

Applicant, Dean Larsen, 3940 Oakwood Parkway, stated the parking was based off JoAnn's corporate requirements and the new restaurant's seating capacity, which brings the total to 232 stalls. He stated there should be about 70 employees working on site.

Mr. FitzGerald motioned to approve site plan with staff conditions and modified condition #5 to state, “Provide for staff approval a revised plan screening the loading dock. Mr. Pearson seconded and the motion carried.

9. DISCUSSION/DIRECTION

A. Comprehensive Plan “ Sustainability

Darryl Tufte addressed the efforts to add more sustainable principles to the City's Comprehensive Plan. He asked for the commissioner's approval of an invite letter and mailing list.

Mr. Kaiser provided changes to the invitation letter. Members added the following invitees: Gregg Moore, Eau Claire County Board Chair, News Media, CVTC President, UW-Eau Claire Chancellor and Student Senate.

Commissioners postponed reviewing additional material provided due to time.

B. Waterways and Parks Commission Review

Postponed until next meeting.

C. Code Compliance Items

Mr. Kayser asked staff to look into the dead boulevard trees at General Dollar on Cameron Street.

D. Future Agenda Items

Mr. Duax asked for a status report on the gravel, grading, and erosion control ordinance.

10. **MINUTES**

The August 18, 2008, meeting minutes were approved.

Fred Waedt
Secretary